

# What Every Worker Should Know

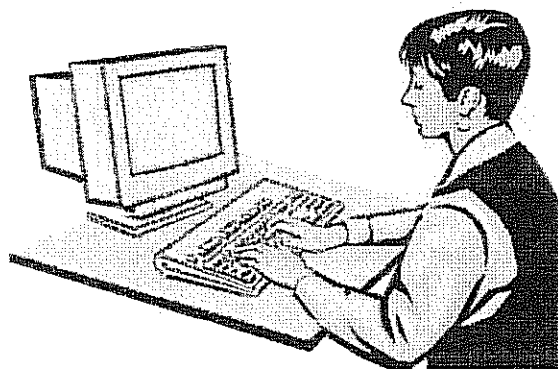
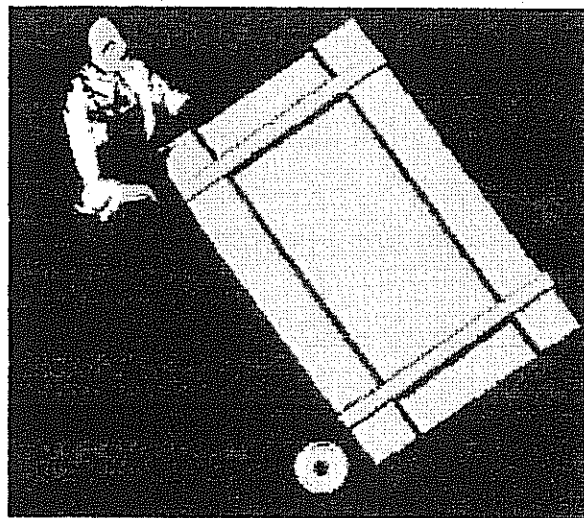
## What is workers' compensation?

If you get hurt on the job, your employer is required by law to provide workers' compensation benefits. You could get hurt by:

- One event at work. Examples: hurting your back in a fall, getting burned by a chemical that splashes on your skin, getting hurt in a car accident while making deliveries.

—or—

- Repeated exposures at work. Examples: hurting your wrist from doing the same motion over and over, losing your hearing because of constant loud noise.



## What are the benefits?

They can include:

**Medical Care.** Paid for by your employer, to help you recover from an injury or illness caused by work.

**Temporary Disability Benefits.** Payments if you lose wages because you can't do your usual job while recovering.

**Permanent Disability Benefits.** Payments if you can't recover completely and will always be somewhat limited in your ability to work.

**Vocational Rehabilitation.** Job placement counseling and possibly retraining, if you are unable to return to your old job and your employer doesn't offer other work.

**Death Benefits.** Payments to the spouse, children, or other dependents of a worker who dies from a job injury or illness.

## ***Can I choose the doctor who will treat me?***

It depends. If you want to choose the doctor who will treat you for a job injury or illness, you must tell your employer the name and address of your personal physician *before* you are injured. You must do it *in writing*. This is called **predesignating your personal physician**.

- **If you predesignate:** You will be allowed to see your personal physician right after you are injured. You may switch doctors later, if necessary.
- **If you don't predesignate:** Your employer usually will have the right to choose the doctor who treats you during the first 30 days after your employer learns about your injury or illness. To find out about exceptions to this rule, get the factsheet "After You Get Hurt on the Job" (listed on page 4).

## ***How do I predesignate?***

You can predesignate a doctor of medicine (M.D.) or doctor of osteopathy (D.O.) who treated you in the past and has your medical records. Or you can predesignate the office, clinic, or hospital where the doctor treated you. (If you give your employer the name of your **personal chiropractor** in writing before you are injured, you may *switch* to this chiropractor upon request during the first 30 days.)

Notify your employer in writing. (Your employer may give you a form to use.) Make sure to include the following information:

1. Name of your employer
2. Statement that if you are hurt on the job, you designate your personal physician or personal physician's medical facility to provide medical care. Give the name, address, and phone number.

### **Did You Know?**

- ◆ Medical care must be paid for by your employer if you get hurt on the job — whether or not you miss time from work.
- ◆ You may be eligible to receive benefits even if you are a temporary or part-time worker.
- ◆ You may be covered by workers' compensation even if you are called an "independent contractor."
- ◆ You don't have to be a U.S. citizen to receive workers' compensation benefits.
- ◆ You receive benefits no matter who was at fault for your job injury.
- ◆ You can't sue your employer for a job injury (in most cases).
- ◆ It's illegal for your employer to punish or fire you for having a job injury or for requesting workers' compensation benefits when hurt on the job.

3. Your name
4. Your signature
5. Date

**Exceptions:** Some employers have contracts with state-certified **health care organizations (HCOs)** to treat workers hurt on the job. If your employer has this kind of contract, there are different rules on choosing medical care. Your employer must give you written information about those rules.

### ***Why is the choice of doctor important?***

Your treating doctor will:

- Decide what type of medical care you'll get.
- Help identify the kinds of work you can do safely while recovering.
- Determine when you can return to work.
- Write medical reports that will affect the benefits you receive.

### ***What should I do if I get hurt on the job?***

- **Report the injury to your employer**

Tell your supervisor right away. If your injury or illness developed gradually (like tendinitis or hearing loss), report it as soon as you learn it was caused by your job. Reporting promptly helps prevent problems and delays in receiving your benefits, including necessary medical care.

- **Get emergency treatment if needed**

If it's a medical emergency, go to an emergency room right away. Your employer may tell you where to go for treatment. Tell the health care provider who treats you that your injury or illness is job-related.

### ***How can I avoid getting hurt on the job?***

It's best to *prevent* injuries before they happen. Employers are required to have an **Injury and Illness Prevention Program**. Learn about and participate in your employer's program. Report unsafe conditions to your employer and union. Or call **Cal/OSHA**, the state agency that enforces health and safety laws.

### ***How can I find out more about workers' compensation?***

- Talk to a supervisor or manager at work. Your employer is required to post information about workers' compensation and give you written materials.
- Talk to your union rep, if you have one.
- Contact a state **Information & Assistance officer**. I&A officers answer questions about workers' compensation. Call toll-free ☎ 1-800-736-7401. For a local office, check the **Government Pages** of your phone book. Look under: **State Government Offices/Industrial Relations/Workers' Compensation**.
- See the next page to get more factsheets.

For more information, contact: *(distributor's name and phone)*

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This is one of a series of factsheets, which include:

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- After You Get Hurt on the Job (#2)  
*(steps to take, getting appropriate medical care, working while recovering, other financial help, and facts about job discrimination)*
- Temporary Disability Benefits (#3A)  
*(payments while you are recovering from a job injury or illness.)*
- Permanent Disability Benefits (#3B)  
*(medical reports, ratings, payments, and settlement)*
- For More Information (#4)  
*(written materials, places to seek help with your claim, and other types of assistance)*
- Hurt on the Job? Information Alert for Teens  
*(Factsheet for Young Workers)*

To obtain these factsheets, contact the state Division of Workers' Compensation. Call toll-free ☎ 1-800-736-7401, or check the Government Pages at the front of the white pages of your phone book and look up: State Government Offices/Industrial Relations/Workers' Compensation/Information & Assistance. To view the factsheets, go to the following Web site (many public libraries provide access to the Web): [www.dir.ca.gov](http://www.dir.ca.gov). Through this Web site, link to: Commission on Health and Safety and Workers' Compensation.

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This factsheet was designed and produced by the Labor Occupational Health Program (LOHP), University of California at Berkeley, under contract with the Commission on Health and Safety and Workers' Compensation.

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The information in this factsheet is true in most situations. However, some **rules, exceptions, and deadlines** not covered here may apply to you and affect your case. To learn more, see the factsheet For More Information.

The information here describes the California workers' compensation system as of January 1998. It applies to most private, state, and local government employees whose "date of injury" is 1994 or later.